

Now, with regard to the Criminal Court, it is proposed to give one judge to that court, that in reference to the prompt discharge of his important functions, he may proceed with the promptness and energy which belongs to individual action.

In regard to the saving of the expenditures of the public money, we ask you to establish a Police Court, that important arm of civil government—which, from its ready and efficient action, is calculated to insure the public tranquillity.

We desire that the arm and authority of the various courts shall go, day by day, hand in hand with the power of the municipal government, to protect all our rights. These powers are derived from the people; the object of their aim should be peace and good order, and we propose to invigorate their exercise by the discipline of law.

There is therefore no increase of judges. We have five judges now, two in the criminal and three in the county courts. In reference to the police court, I am entirely willing that an amendment shall be made, that the judge of that court shall be paid out of the city treasury.

I have made these remarks, and speak from experience. It is a matter of indispensable interest that this boon should be granted to us by this Convention. I hold, with my colleague, that if the present system continues, there will be no docket, and that the happy time will come, looked forward to by my friend from Washington county, in one of those rapt and joyous visions of his prophecy, when there will be no occasion for lawyers. There is now an absolute denial of justice, and time and again have applications been made to me with regard to some changes in this system, upon the ground that until such changes be effected, it was idle to speak of courts of justice. They are mere words of promise to the ear, but the hope has withered. I withdraw my amendment.

Mr. HOWARD. I make a motion to postpone the further consideration of this subject, and I do it for the purpose of throwing out a suggestion. It appears to me that we had better first ascertain whether the high court of chancery is to be continued. If it is not, then I will go with the gentleman from Baltimore city to establish a chancellor there. But if the present chancery court is to be discontinued, then they can transact their business in that court. I believe, from the indications around us, that it is the desire of this Convention to abolish that court. I am willing to see it continued. My suggestion is, that I would propose to take a distinct vote of the Convention whether the chancery court shall be continued or not; and after that is ascertained, we shall then be able to go on and apportion this power among the judges there with more judgment than when this question is in a state of uncertainty. If I make such a motion, and it should prevail, I will lay on the table a resolution merely expressing that the chancery court shall be continued, as it at the present time exists. That is my opinion, but I think that a majority will decide otherwise. After this is decided we can ascertain whether it is necessary to establish a new chan-

cery jurisdiction for Baltimore or not. I make this motion to pass over the consideration of this section for the purpose of taking up a resolution which I shall send to the Chair that the court of chancery shall continue as it now exists.

Mr. SPENCER. We can turn to the 25th section and take it up.

Mr. HOWARD. Does that section provide for it?

Mr. SPENCER. It does.

Mr. HOWARD. Then I move to pass by this section informally for the purpose of taking up the section named by the gentleman from Queen Anne's.

Mr. MORGAN. I think the chairman of the committee (Mr. Bowie) would like to be present when that subject comes up. He did not expect that it would be taken up to-day, or he would have been present.

Mr. HOWARD. We had better ascertain whether a majority is in favor of the abolition of the court or not.

The question was then taken on the motion to postpone the further consideration of the section, and it was decided in the affirmative.

So the consideration of said section was postponed.

The Convention then proceeded to consider the 25th section, which was read as follows:

Sec. 25. No new original bill shall be filed or received in the high court of chancery of this state from and after the ratification of this constitution by the people of the state, nor shall any cause be removed from any other court in the state to the said court of chancery, from and after the said ratification; but all causes and proceedings now pending, or which may be pending in the said court of chancery at the time of the said ratification, shall be heard, determined and proceeded with, by the present chancellor or his successor in office, until they shall be brought to a final close, provided the same be done in five years from the time of said ratification, and at the end and expiration of said five years from the time of said ratification, or sooner, if the business in said chancery be sooner disposed of, the office of chancellor of this state, and the office of register in chancery, shall be, and they are hereby abolished. The present chancellor and register in chancery, and in the event of any vacancy in their respective offices, their successors in office respectively to be appointed as at present, by the governor and senate, shall, during said five years, or other shorter period, receive the same salary and compensation which they now receive. The legislature shall provide, by law, for the recording, safe keeping, or other disposition of the records, decrees and other proceedings of the said court of chancery at the end and expiration of said five years or other shorter period, and for the transmission to the several counties of the state and the city of Baltimore, of all such causes and proceedings in said court as may be then undisposed and unfinished, in such manner and under such regulations as may be deemed necessary and proper.

Mr. HOWARD moved to strike out the section,